

REMARKS

The present Amendment does not amend the claims. Therefore, the present application has pending claims 33-49.

The Examiner is strongly urged to contact Applicants' Attorney, the undersigned, by telephone to discuss the outstanding issues of the present application prior to examination.

Claims 33-49 stand rejected under 35 USC §112, first paragraph as allegedly failing to comply with the enablement requirement. Particularly, the Examiner alleges that the language used in the claims regarding the number of apparatuses which can simultaneously view or record the program being output does not correspond to the discussion of this feature in the specification, particularly with regarding to Fig. 5 and page 18, line 26 through page 19, line 26. In the above noted figure and passage of the present application the Examiner notes that the specification describes that there are two numbers to be determined, one for the number of viewing contracts and the other for the number of recording contracts.

It should be noted that the original language as set forth in the claims was intended to recite the above noted feature as illustrated in Fig. 5 and as described in the above noted passage of the present application. However, in order to clarify the description of this feature, amendments were made to the claims in the previous Amendment so as to recite that the controller manages the number of other apparatuses through which the program can be simultaneously viewed or simultaneously recorded based on information as stored in receiving contract information data 500 which forms a part of the receive contract manager 212. The Examiner's attention is directed to the

discussion of the features of the present invention on page 18, line 26 through page 19, line 26 of the specification.

Thus, the claims clearly recite that two different numbers are possible, one number being of the other apparatuses which can simultaneously view the program and the other number being of the other apparatuses which can simultaneously record the program. Therefore, reconsideration and withdrawal of the 35 USC §112, first paragraph rejection of claims 33-49 is respectfully requested.

In view of the foregoing amendments and remarks, applicants submit that claims 33-49 are in condition for allowance. Accordingly, early allowance of claims 33-49 is respectfully requested.

To the extent necessary, the applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C., Deposit Account No. 50-1417 (520.36900X00).

Respectfully submitted,

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